

Remarks

Reconsideration of this Application is respectfully requested. Claims 21, 22, 24-28 and 31-51 are pending in the application, of which claims 21, 31, and 43 are independent. Based on the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Rejection under 35 U.S.C. § 103

The Examiner, on page 3 of the Office Action, states that claims 21, 22, 24-28, and 31-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,957,348 to Flowers and further in view of U.S. Patent No. 7,168, 065 to Naccache. Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

With respect to independent claim 21, the Examiner states that Flowers substantially teaches Applicants' invention as recited in claim 21. Applicants respectfully disagree. Flowers does not teach or suggest at least the elements of: "an execution area configured to perform operations to examine a set of instructions embodying an invoked application to identify the invoked application, obtain application-specific intrusion criteria, the application-specific intrusion criteria including intrusion signatures and behavior criteria, and monitor network communications for the invoked application for application-specific intrusion signatures and abnormal application behavior to detect an intrusion."

Unlike the present invention, which "examine[s] a set of instructions embodying an invoked application to identify the invoked application, obtain[s] application-specific

intrusion criteria, the application-specific intrusion criteria including intrusion signatures and behavior criteria, and monitor[s] network communications for the invoked application for application-specific intrusion signatures and abnormal application behavior to detect an intrusion”, Flowers teaches a VDS and IDS that communicate with one another and use query-based rules to describe vulnerabilities and intrusions. Thus, contrary to the present invention, which uses application-specific intrusion signatures, Flowers uses query-based rules.

The Examiner admits, and Applicants respectfully agree, that Flowers does not disclose “to examine a set of instructions.” The Examiner further states that this element is taught by Naccache. Applicants respectfully disagree.

Naccache does not solve the deficiencies of Flowers. For example, unlike the present invention, Naccache does not teach application-specific intrusion signatures. Furthermore, Naccache teaches “[a] program execution device 20 [that] has a monitoring unit 22 which makes it possible to verify that each of the instructions Inst.1 to Instr.n has indeed been loaded to the processor 4 with a view to their execution.” *Naccache* col. 8, line 64 – col. 9, line 1. Thus, Naccache teaches monitoring to verify that all instructions have been executed, not to identify the application.

Thus, neither Flowers nor Naccache, separately or in combination, teach or suggest Applicants’ claimed invention as recited in independent claim 21. For at least the reasons stated above, independent claim 21, and the claims that depend therefrom (claims 22 and 24-28) are patentable over the cited references. Independent claims 31 and 43 include similar elements to independent claim 21. Thus, for at least the reasons stated above, independent claims 31 and 43, and the claims that depend therefrom (claims 32-42

and 44-51, respectively), are also patentable over Flowers and Naccache. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of independent claims 21, 31, and 43, and the claims that depend therefrom (claims 22, 24-28, 32-42, and 44-51, respectively).

Request for an Examiner Interview

Applicants respectfully request an Examiner Interview. Applicants respectfully request that the Examiner contact the Applicants' representative at the number provided to formally set a date and time to conduct the interview.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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